

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEVELLE BRISTOW-JENKINS,

Plaintiff,

vs.

Civil Action 2:09-CV-422
Judge Smith
Magistrate Judge King

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant.

PRELIMINARY PRETRIAL ORDER

A preliminary pretrial conference was held, by telephone, on July 29, 2009. All parties were represented.

Plaintiff seeks recovery of benefits under a disability policy issued to her.

With the filing of the amended complaint, the motion to dismiss the original complaint, Doc. No. 8, is **DENIED** as moot.

There is a jury demand.

This action was removed to this Court as one arising under the Court's diversity jurisdiction, 28 U.S.C. §1332. The Court has subject matter jurisdiction under 28 U.S.C. §1332. The Court has personal jurisdiction over the parties and venue is proper.

The parties have made their Rule 26(a)(1) disclosures.

Motions addressing the parties or pleadings may be filed, if at all, by August 31, 2009.

Disclosures relating to primary experts must be made by plaintiff no later than December 15, 2009 and by defendant no later than January 15, 2010. If the expert is specially retained, the disclosures must conform to F.R. Civ. P. 26(a)(2), unless otherwise agreed to by the

parties or ordered by the Court. If the expert is not specially retained, the party must provide (1) the identity of the expert, (2) an articulation of the substance of the testimony expected to be provided by the expert and (3) the bases of any opinion expected to be offered by the expert.

All non-expert discovery must be completed by November 30, 2009. All expert discovery must be completed by February 26, 2010. The parties are advised that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response by that date.

Motions for summary judgment may be filed no later than March 26, 2010.

This case will be available for final pretrial conference in July 2010, or as soon thereafter as the Court's calendar permits.

This case will be referred to the December 2009 Settlement Week.

The parties will file the administrative record manually and under seal.

The parties wish to proceed to private mediation. The parties will report on the status of mediation by August 31, 2009.

If any date set herein falls on a weekend or legal holiday, the date of the next business day will control.

July 29, 2009

s/Norah McCann King
Norah M^cCann King
United States Magistrate Judge